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October 19, 2015

**VIA E-MAIL TRANSMISSION
AND ECF FILING**

The Honorable Robert E. Gerber
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York, New York 10004

Re: **In re Motors Liquidation Company, et al.**
Case No. 09-50026 (REG)

**Marked Pleadings with Respect to the
Elliott, Sesay and Bledsoe Complaints**

Dear Judge Gerber:

King & Spalding LLP is co-counsel with Kirkland & Ellis LLP for General Motors LLC ("**New GM**") in the above-referenced matter. At the October 14, 2015 hearing with respect to matters identified in your September 3, 2015 *Scheduling Order* [Dkt. No. 13416], Your Honor stated:

Mr. Peller, in a letter sent, commented on New GM's failure to address his Elliott, Bledsoe and Sesay pleadings the same way that New GM has addressed anybody else's, and he [sought to] default New GM on that. I'm not going to default New GM on that given everything else that's gone on here.

Mr. Steinberg, not this minute, but after the arguments, I want you to call up Mr. Peller and ask him if he really wants you to repeat the process for his clients like you did for everybody else. And if he does -- and I'm going to have to make you do a similar response like you did for everybody else -- that will be decided on the papers.

Hr'g Tr., October 14, 2015, at 9:25-10:10.

*Entered Order:
Transcript is garbled, but
Schedule set forth in this
letter approved.
S/REG
USBJ
10/19/2015*

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As instructed, counsel for New GM contacted Mr. Peller and asked him how he wanted to proceed, and Mr. Peller stated he wanted New GM to mark the complaints. New GM has consulted with Mr. Peller, and they propose the following schedule for the marked Peller Client Complaints:¹

- i. On or before October 30, 2015, New GM shall file with the Court and serve on Mr. Peller (a) marked-up versions of the Peller Client Complaints ("**Marked Peller Client Complaints**"), marked to show which portions thereof New GM contends violate the Judgment, the Decision and/or the Sale Order and Injunction, and (b) a letter, not to exceed three (3) single-spaced pages for the Marked Peller Client Complaints, setting forth New GM's position with respect to the Marked Peller Client Complaints ("**New GM Marked Peller Client Complaints Letter**");
- ii. On or before November 6, 2015, Mr. Peller shall file with the Court and serve on counsel for New GM a letter ("**Peller Response Letter**"), not to exceed three (3) single-spaced pages, responding to the Marked Peller Client Complaints and the New GM Marked Peller Client Complaints Letter; and
- iii. As stated at the Hearing, the Court shall decide the issues raised in the Marked Peller Client Complaints, the New GM Marked Peller Client Complaints Letter and in the Peller Response Letter on the papers, and no hearing shall be held thereon.

It is requested that the foregoing schedule be approved by the Court.

Respectfully submitted,

/s/ Arthur Steinberg

Arthur Steinberg

AJS/sd

cc: Gary Peller, Esq.

¹ "Peller Client Complaints" means the complaints filed in the *Elliott*, *Sesay* and *Bledsoe* lawsuits.